GENERAL AND REVENUE SECRETARIAT.

1907.
(Inwards)

File No. 222

Serial Nos. 1–2

Papers Filed.

Month April 1908.

SUBJECT.

Declines for re-admitting ~~Talukdari~~ Taluk over under Government management the temple of Sri Venkataramanaswami at Eramagere, Mysore Taluk.

PREVIOUS REFERENCES. | LATER REFERENCES.

MUZRAI SECRETARIAT.

OFFICE NOTE.

File No. 222-07

SUBJECT.

Taking over under Government management the temple of the Sri Venkataramana Swami temple at Eranagere, Mysore Taluk

From

The Deputy Commissioner, Mysore District.

Letter No 294 Dated 19th January 1908

One Nagamma built a temple of Sri Venkataramana Swami at Eranagere in Mysore and endowed for its benefit a piece of dry land Survey No 93 measuring 9 acres and 5 guntas assessed at Rs 9-9-0. Out of it, a portion of land was acquired by the Mysore City Municipality for the extension of the town and a Compensation of Rs. 912-8-0 was paid therefor From this amount the Amildar deducted a sum of Rs 10-1-0 being the arrears of land Revenue due to Govt and the balance of Rs. 902-7-0

was deposited in the Govt Savings Bank in the name of the temple. one Venkatappa petitioned to the Vice President praying that the Compensation amount might be paid to him as he was the adopted Son of Nagamma (deceased) which fact was denied by the people of the neighbourhood and others who objected to the payment of the money to Venkatappa. The amount was then deposited in the Savings Bank. The residents of Santepet & Lashkar Mohalla selected one Janaki Doss for performing the worship in the temple and petitioned to the Assistant Comr in Charge, praying that the interest accruing on the principal amount might be paid to the said Janaki Doss. That Officer ordered that the interest might be drawn & paid to the poojari for Padetara devara dhane and that the devotees should select a suitable land for the temple. ~~without referring the matter to the Deputy Comr~~ The Asst Dy Comr (Asst Comr) solicited sanction for the payment of the interest for 1905-6 to the poojari. The Dy Comr accordingly sanctioned the payment —

The Deputy Commissioner reports that

the

Muzrai Secretariat. File No. of 190

the temple of the Sri Venkataramana Swamy is not a Muzrai institution, that no action was taken by the Vice President under Sec 31(7) and 32 of the Land Acquisition Regulation as the land acquired by the Municipality belonged to the temple and that the land was in the enjoyment of Nagamma who is reported died leaving no heirs and intended that the land should go to the temple.

As the devotees have agreed to keep the amount in Savings Bank & taken objection to the payment of the amount to Venkatappa who says that he is the adopted son of Nagamma, the Dy Comr Solicits instructions in the matter of taking over the temple under Govt management and paying the interest to the poojaris until a Suitable land is selected by the devotees & purchased for the benefit of the inst

Subd The temple is reported to be not a Muzrai institution Orders are solicited as to whether Govt can interfere

GPB--3,000--22 6 06

in the matter. A printed copy of Pro: No 652-60 of 18th Dec: 1897 is submitted in which the policy of Govt: declining interfere in such matters is communicated.

Rd
4/2/08

Dft. No. 3655 & /22/1908 Rec'd File & Book

Forwarded to the Government Advocate in Mysore for favour of opinion as to whether, under the circumstances represented by the Deputy Commissioner the Govt may take up the management of the temple and direct the payment of the interest on the compensation amount now in deposit, for Puja expenses or whether the matter should be referred to the Court:

By order

Bangalore
11th Feb: 1908

Secretary Muzrai Dept

Muzrai Secretariat. | File No. of 190

I am of opinion that the parties may be directed to have recourse to the Civil Courts for an adjudication as to who the rightful hereditary manager is, to whom the amount may be paid. As this is not a Muzrai temple, civil Court is the proper tribunal to frame a Scheme of management so as to bind all persons interested.

S Narayana Rao
14.2.08 Govt Advocate

Received 17/2/08 Reg & submit

GPB—3,000—22 6 06

File No. of 100 Munsif Secretariat.

Muzrai Secretariat. | File No. of 190

Muzrai Secretary's remarks:-

The land in question was Kandaya land in the possession and enjoyment of Nagamma. During her life she applied its proceeds for the benefit of the temple. After her death the Pujari of the temple (named Narasanna) was in enjoyment of the land. When the award of compensation was made, one Venkatappa came forward claiming the amount and alleging that he was the adopted son of the deceased Nagamma. As soon as this objection was put forward a reference should have been made to the Civil Court and the amount of compensation deposited in the Court under the terms of Section 31 (2) of the Land Acquisition Regulation. This procedure was not followed, so that the question as to who is the person to get the money has not been judicially decided.

From the records of the Deputy Tahsildar Gollas urge that Nagamma had no right to the compensation as that land was all along in the enjoyment of

MGCPB—3 500—15-10-04

Mantri Secretariat: File No. of 200.

and that the devotees should have the management. The Deputy Commissioner thinks that under these circumstances the temple may be taken under ~~Govern-ment~~ the Govt. management of the Muzrai Department.

I think that the Government Advocate's opinion recorded on page 3 above is correct and that the parties should be left to have the matter decided in the Civil Courts.

419 — Submitted to the Hd Commissioner — T Ramakrishna Rao 9/4/08

9th April 1908.

581 / 13/4/08 — I am also of the above opinion. The omission to take action under section 31 (2) of the Land acquisition Regulation has given rise to this trouble.

13/4/08

Read 18/4/08

Draft 17/4/05

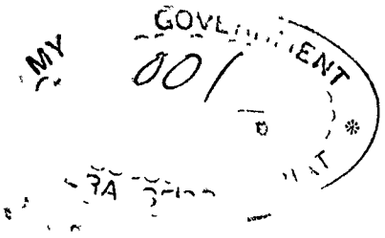
SA

AIGEPB—3,500—15-10-01

20/4/08

MGCPB -3,500 15-10-01

1907-08 SC1



From
Sri. Kantaraj Urs Esq., B.A.
Dy. Commissioner,
Mysore District.

To
L. Anantasawmi Rao Esq., B.A.
Secy. to the Govt. of H. H. the Maharaja of Mysore, ~~Gen. & Rev.~~ Revenue Dept.

Dated 19 January 08
Despatched 23
Received
General No. 294
No.
Enclosure No. 1 file & 1 Pass Book
No 338

Subject
Solicits instructions in the matter of taking the Venkatesa Ramana Swami temple under Govt. management.

No. 294
Enc. No. 16 file & 1 Paper Bk

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT,
Dated Mysore Camp 19/23 January 1908.

To

L. Anantasawmi Rao Esq., B.A.
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
~~GENERAL AND REVENUE~~ Nuzrai 3 DEPARTMENTS.

SIR,

In submitting herewith the file of vernacular papers received with yadi No. 40/277 dated the 4th November 1907, I have the honor to state as follows:—

2. S. No. 93 (dry) measuring A 9-5 G assessed at Rs 9-9-0, situate in Erangere village, Mysore city was acquired by the city Municipality in 1903 for a public purpose viz for the extension of the city and a compensation of Rs 912-8-0 was awarded therefor

3. It is learnt that the patta of the land stood in the name of Nagamma poojari of the Venkatarmana Swami temple near the Kamani Darwaja, Mysore city

city, and that after her death the land was in the enjoyment of one Narasamma who was doing the Pooja in the temple and subsequently died.

4. At the time of awarding the compensation amount, one Venkatappa who was present said that he was the adopted son of Nagamma (deceased Poojari) which fact was denied by the people of the neighbourhood and others who objected to the payment of the money to Venkatappa.

5. The then Vice President of the city Municipality (Mr. K. Srinivasa Rao) therefore ordered that the compensation amount awarded viz Rs 912-8-0 should be sent to the Deputy Commissioner for being deposited in the Savings Bank, the interest accruing on the Principal amount being used up for the upkeep of the temple and puja purposes as agreed to by the Poojari who made over the land.

6. After some correspondence between this and the Vice President's offices, the records were sent

sent to the Sub Dens
Mysore Division, for report as
to whether the Institution in
question was a Shrotri Insti-
tution and what his opinion
was in the matter of invest-
-ing the compensation amount
in the Savings Bank and utilizing
the interest accruing thereon
for Padithara and Deepara-
dhane &c.

7. The amount was however kept
in the Savings Bank account
No 338 in the name of the Taluk
amildar on behalf of the said
temple (Vide Pass Book herein
enclosed).

8. In the meanwhile the residents of
Santepet and Lashkar Mohallas
presented a petition to the Assistant
Commissioner praying that
the interest, accruing on the principal
amount may be paid to the
Poojari Janaki Dass and the
assistant Commissioner (Mr.
C. Krishna Rao) without referring
the matter to this office, thereon
ordered that the interest may
be drawn and paid to the
Poojari for Padithara Deepara-
-dhane and that the devotees
should

should be informed to select a suitable land for the temple.

9. The records were again submitted to this office for orders in the matter of paying the interest for 1905-06 to the Poojari and I ordered thereon that the interest might be drawn and paid to the Poojari, and requested the Sub Division officer to expedite the submission of his report regarding the payment of interest to the Poojari &c already called for.

10. In reply the Sub Division officer reports that under Sec 31 clause (2) of the Land acquisition Regulation, the matter has to be referred to the civil court.

11. From the correspondence herewith submitted it will be observed that the temple in question is not a Inamai Institution and that no action was taken by the Vice President under Secs 31(2) and 32 of the Land Acquisition Regulation as the land acquired by the Municipality belonged to the temple and

in

in the enjoyment of
of the temple after the death
of Nagamma who it is reported
has no heirs and intended
that the land should go to
the temple.

12. As the devotees have agreed
to keep the amount in Savings
Bank and taken objection to
the payment of the amount
to Venkatappa who says that
he is the adopted son of Nagamma,
I solicit the favour of instruc-
-tions in the matter of taking
the Institution under Govern-
ment management and paying
the interest to the Poojari until
a suitable land is selected by
the devotees and purchased
for the benefit of the temple
out of the principal amount
kept in the Savings Bank.

I have the honor to be,
Sir,
your most obedient
Servant

W. Thomas Mayer Jr
Deputy Commr
Mysore District

BA

as per Ors orders
Mysore 5/2.

Read:—

Letter no 294, dated 9th January 1908, from the Deputy Commissioner, Mysore District, recommending that the temple of Sri Venkataramanaswamy, a private Instn near the Kamam Dwwaja, Mysore City, together with its endowments may be taken over under Govt management

Unofficial Reference no 167, dated 4th February 1908, from the Govt Advocate, ~~Mysore~~ Bangalore.

——..——

Order thereon:—

The facts of the case are as follows:—

One Naganna built the temple of Sri Venkataramanaswamy near the Kamain Dwwaja, Mysore City and endowed it with Kandayam dry lands in the Eranagere village near the Mysore City, measuring 9 acres and 5 guntas and assessed at Rs 9-9-0 for the up-keep of the Institution

24/4

No. 4777 D/25.4.08.
Encl one file

During her life-time these lands continued to be in her possession and enjoyment and she was applying their proceeds for the benefit of the temple. After her death, the lands came into the possession of one Narasamma who did the duties of puja and was enjoying the lands, up to the date of her death. In the year 1903, a portion of the lands was acquired by the Mysore City Municipality under the Land Acquisition Regulation No VII of 1894, for the extension of the town, and a sum of Rs 912-8-0 was awarded as compensation therefor. When the award was made, one Venkatappa came forward claiming the amount and alleging that he was the adopted son of the deceased Nagamma. Upon the requisition of the then Vice-President of the Mysore City Municipality, Mr K. Srinivasa Rao, the compensation amount

awarded was allowed to be deposited in the Govt Savings Bank, and the interest accruing thereon to be paid to the pujari of the temple for the up-keep of the institution. In the meantime, ~~[illegible]~~, the residents of Sultanpet and Lushkar Mohallas, however urged that Venkatappa was not the ~~adopted~~ son of Nagamma and had therefore no right to the compensation amount, that the lands were all along in the enjoyment of the temple and that therefore the devotees should have the management. Under these circs, the Deputy Commissioner recommends that the temple may be taken over under the management of Govt in the Muzrai Dept, and that the interest accruing on the compensation amount deposited in the Savings Bank, may be paid

the pujari until a
is selected and purchased with the
compensation amount

2 The Govt observe that
as soon as Venkatappa came forward
as the adopted son of Nagamma, and
claimed the compensation amount,
a reference should have been made
to the Civil Court under the terms of
Sec 31(2) of the Land Acquisition Regulation
The omission to take action under that
section has given rise to the present
trouble. The Govt ~~Advocate, who~~ are
~~could be called the Judge~~, is of opinion
that it should be left to the parties
concerned to have recourse to the
Civil Court for an adjudication as to
who the pujari or manager is to whom
the amount may be paid, and that,
as the temple in question is not to
a mutt but the Civil Court is
the proper tribunal to frame a scheme

of management so as to bind all persons interested, ~~and the Collector~~ and they accordingly direct that the parties be asked ~~allowed~~ to have the matter decided in Civil Courts

(his order) 23/4/08

Secretary

4/5/08

To

The Deputy Commissioner, Mysore Dt,

returning enclosures

~~Govt Advocate, Bangalore~~